

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 97-251-T - ORDER NO. 97-509
JUNE 12, 1997

IN RE: The Provision of Shipper Witnesses by) ORDER
Household Goods Carriers Seeking a)
Certificate of Public Convenience and)
Necessity.)

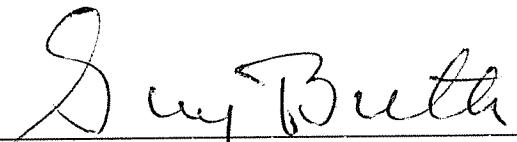
This matter comes before the Public Service Commission of South Carolina (the Commission) for discussion of promulgation of an emergency regulation related to an applicant for a household goods Class E Certificate of Public Convenience and Necessity using shipper witnesses at a hearing to show that the proposed service is required by the public convenience and necessity, pursuant to S.C. Code Ann. Section 58-23-590 (Supp. 1996). Since we think the presentation of shipper witnesses is the best proof of this criterion, we hold that Staff shall develop an emergency regulation requiring their presentation accordingly, as well as one for permanent consideration by the General Assembly. Staff shall also include language whereby we will not open a household goods application hearing unless shipper witnesses are present.

Further, we hold that "modified procedures" shall no longer be applicable for household goods Applications for Class E Certificates of Public Convenience and Necessity or Certificates of Fit, Willing, and Able. We believe that, even if such

Applications are uncontested, that the Applicant must demonstrate both the fit, willing, and able and the public convenience and necessity criteria in Certificate of Public Convenience and Necessity matters and the fit, willing, and able criteria in Certificate of Fit, Willing, and Able matters in an open hearing, pursuant to S.C. Code Ann. Section 58-23-590 (Supp. 1996). We will therefore no longer summarily grant such Applications without hearing, even if unopposed.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)